



General Assembly

Amendment

February Session, 2008

LCO No. 5653

HB0593605653HDO

Offered by:

REP. MCMAHON, 15th Dist.

REP. SAYERS, 60th Dist.

SEN. COLEMAN, 2nd Dist.

To: Subst. House Bill No. 5936

File No. 683

Cal. No. 409

**"AN ACT CONCERNING THE GREENWAY COMMONS
IMPROVEMENT DISTRICT IN SOUTHTON, THE REED PUTNAM
DISTRICT IN NORWALK, THE NAUGATUCK ECONOMIC
DEVELOPMENT CORPORATION AND DONATION OF OPEN
SPACE LAND BY WATER COMPANIES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (Effective July 1, 2008) (a) For purposes of this section:

4 (1) "District" means that certain real property, situated in the town
5 of Windsor, the County of Hartford and the state of Connecticut, the
6 Millbrook Greens Improvement District, a body politic and corporate
7 and deemed to be established pursuant to section 7-325 of the general
8 statutes, consisting of the area bounded and described as follows:
9 Beginning at a point marking the intersection of the easterly nonaccess
10 highway line of Interstate 91 with the southerly street line of Pigeon
11 Hill Road. Said point being the northwesterly corner of the parcel

12 herein described. Thence, S 80 degrees 59'15" E a distance of 158.57 feet
13 to a point of curvature. Thence, along a curve to the right having a
14 central angle of 02 degrees 43'36" a radius of 500 feet and an arc length
15 of 23.79 feet to a point. Said point bearing S 71 degrees 46'59"E a chord
16 distance of 23.79 feet from said point of curvature. Thence, S 69
17 degrees 53'24" E a distance of 414.51 feet to a point of curvature.
18 Thence, along a curve to the left having a central angle of 09 degrees
19 54'40" E a radius of 1327.02 feet and an arc length of 229.55 feet to a
20 point marking the northwesterly corner of land now or formerly of
21 Chang Yu Sun et. al. Said point bearing S 74 degrees 50'44" E a chord
22 distance of 229.26 feet from said point of curvature. Thence, S 10
23 degrees 7'10" W a distance of 255.40 feet along the westerly property
24 line of land of said Sun. Thence, S 84 degrees 26'51" E a distance of
25 519.45 feet to a point. Thence, S 41 degrees 03'0" E a distance of 262.87
26 feet to a point. Thence, S 78 degrees, 33'09" W a distance of 262.51 feet
27 to a point. Thence, S 27 degrees 49'41" E a distance of 505.83 feet to a
28 point. Thence, N 61 degrees 58'09" E a distance of 181.00 feet to a point.
29 Thence, N 65 degrees 14'04" E a distance of 158.60 feet to a point.
30 Thence, S 14 degrees 43'51" E a distance of 400.00 feet to a point.
31 Thence, S 74 degrees 49'48" W a distance of 35.00 feet to a point.
32 Thence, S 14 degrees 43'51" E a distance of 158.82 feet to a point.
33 Thence, N 74 degrees 49'48" E a distance of 77.43 feet to a point in the
34 northerly street line of Warham Street. The last ten courses being
35 along residential subdivision property lines. Thence, along a curve to
36 the left in the westerly street line of Warham Street having a central
37 angle of 109 degrees 28'23" a radius of 37.50 feet and an arc length of
38 71.65 feet to a point marking the northwesterly corner of land now or
39 formerly of Margaret Rosemary Jacques EST. Said point bearing S 20
40 degrees 05'37" W a chord distance of 61.24 feet from said point on the
41 northerly street line of Warham Street. Thence, S 46 degrees 15'20" W a
42 distance of 312.33 feet to a point in the northern property line of land
43 now or formerly of James Walsh. Thence along said land of Walsh S 74
44 degrees 59'03" W a distance of 53.90 feet to a point. Thence, S 14
45 degrees 45'21" E a distance of 23.30 feet to a point. Thence, S 89 degrees
46 18'49" E a distance of 569.69 feet to a point marking the intersection of

47 the westerly street line of Taylor Court and the southerly street line of
48 Taylor Street. The last three courses being along land now of formerly
49 of James Walsh. Thence, S 45 degrees 45'31" E a distance of 88.10 feet to
50 a point. Thence, S 09 degrees 49'03" E a distance of 60.00 feet to a point.
51 Thence, S 88 degrees 56'36" E a distance of 97.90 feet to a point. Thence,
52 S 15 degrees 27'29" E a distance of 120.90 feet to a point. Thence, N 74
53 degrees 16'50" E a distance of 79.72 feet to a point. Thence, N 15
54 degrees 27'29" W a distance of 96.90 feet to a point. Thence, S 88
55 degrees 56'36" E a distance of 361.50 feet to a point. Thence, N 67
56 degrees 27'58" E a distance of 185.66 feet to a point marking the
57 northwesterly corner of land now or formerly 165 Poquonock, LLC.
58 The last eight courses being along residential subdivision property
59 lines. Thence, S 25 degrees 30'32" E a distance of 150.13 feet to a point.
60 Thence, S 67 degrees 26'18" W a distance of 72.66 feet to a point.
61 Thence, S 06 degrees 54'44" E a distance of 245.59 feet to a point.
62 Thence, S 82 degrees 18'31" W a distance of 67.72 feet to a point.
63 Thence, S 20 degrees 51'27" E a distance of 80.84 feet to a point. Thence,
64 N 83 degrees 07'52" W a distance of 137.65 feet to a point. Thence, N 58
65 degrees 22'52" W a distance of 55.00 feet to a point. Thence, S 24
66 degrees 04'16" W a distance of 153.40 feet to a point marking the
67 northeasterly corner of land now or formerly of Robert M. Devito and
68 Margaret J. Devito. The last five courses being along residential
69 subdivision property lines. Thence, S 23 degrees 19'19" W a distance of
70 114.43 feet to a point. Thence, S 50 degrees 31'36" W a distance of
71 164.27 feet to a point. Thence, S 30 degrees 5'45" E a distance of 192.16
72 feet to a point in the northerly street line of Mack Street. Then last two
73 course being along land now or formerly of Windsor Independent
74 Living Association, Inc. Thence, S 53 degrees 32'55" W a distance of
75 64.61 feet along the northerly street line of Mack Street to the
76 southeasterly corner of land now or formerly of Richard Pullen Tr.,
77 Joseph Misak, David Sherwood & et. al. Thence, N 29 degrees 42'33" W
78 a distance of 381.03 feet along said land of Richard Pullen TR. et. al. to
79 a point. Thence, S 74 degrees 29'39" W a distance of 710.60 feet to a
80 point. Thence, S 6 degrees 16'31" E a distance of 240.00 feet to a point
81 on the northerly line of land now or formerly of Associates of

82 Williamsburg. Thence, S 86 degrees 27'19" W a distance of 364.67 feet
83 to the northeasterly corner of land now or formerly of James Walsh
84 and Virginia Ernst. Thence, S 85 degrees 37'39" W a distance of 190.98
85 feet to a point. Thence, S 86 degrees 47'39" W a distance of 214.30 feet
86 to a point on the easterly line of land now or formerly of William,
87 Joseph & Helen Bednarz. Thence, N 04 degrees 41'41" W a distance of
88 262.78 feet to a point. Thence, N 05 degrees 57'41" W a distance of
89 275.88 feet to a point. Thence, S 83 degrees 29'44" W a distance of 84.28
90 feet to a point. Thence, N 01 degree 17'54" W a distance of 1180.41 feet
91 to a point. Thence, S 87 degrees 57'15" W a distance of 500.64 feet to a
92 point. Thence, S 07 degrees 49'52" W a distance of 28.40 feet to a point.
93 Thence, N 89 degrees 31'56" W a distance of 171.50 feet to a point.
94 Thence, S 83 degrees 45'24" W a distance of 307.69 feet to a point in the
95 westerly nonaccess highway line of Interstate 91. The last eight courses
96 being along land now or formerly of Joseph, William & Helen Bednarz.
97 Thence, N 02 degrees 8'43" E a distance of 188.35 feet to a point.
98 Thence, N 09 degrees 34'08" E a distance of 250.21 feet to a point.
99 Thence N 12 degrees 55'39" E a distance of 201 feet to a point. Thence,
100 N 19 degrees 20'53" W a distance of 55.89 feet to a point. Thence, N 7
101 degrees 12'59" E a distance of 829.62 feet to the point and place of
102 beginning. The last five courses being along the westerly nonaccess
103 highway line of Interstate 91. Said parcel contains a total area of
104 4,141,795 square feet or 95.08 acres. The project boundaries shall also
105 include any off-site locations mandated by any permitting agency for
106 improvements associated with the project.

107 (2) "Voter" means (A) any person who is an elector of the district, (B)
108 any citizen of the United States of the age of eighteen years or more
109 who, jointly or severally, is liable to the district for taxes assessed
110 against such citizen on an assessment of not less than one thousand
111 dollars on the last-completed grand list of such district, as the case may
112 be, or who would be so liable if not entitled to an exemption under
113 subdivision (17), (19), (22), (23) or (26) of section 12-81 of the general
114 statutes, or (C) holders of record of an interest in real property within
115 the district.

116 (3) "Bonds" means bonds, notes or other obligations authorized by
117 this section.

118 (b) (1) Upon the petition of fifteen or more persons eligible to vote in
119 the town of Windsor, specifying the district for any or all of the
120 purposes set forth in this section, the town manager of such town shall
121 call a meeting of the voters to act upon such petition, which meeting
122 shall be held at such place within such town and such hour as the town
123 manager designates, not later than thirty days after such petition has
124 been received by the town manager. Such meeting shall be called by
125 publication of a written notice of the same, signed by the town
126 manager, at least fourteen days before the time fixed for such meeting
127 in two successive issues of some newspaper published or circulated in
128 such town. Not later than twenty-four hours before such meeting, (A)
129 two hundred or more voters or ten per cent of the total number of
130 voters of such proposed district, whichever is less, may petition the
131 town manager, in writing, for a referendum of the voters of such
132 proposed district, or (B) the town manager in his or her discretion may
133 order a referendum of the voters of such proposed district, on the sole
134 question of whether the proposed district should be established. Any
135 such referendum shall be held not less than seven or more than
136 fourteen days after the receipt of such petition or the date of such
137 order, on a day to be set by the town manager for a vote by paper
138 ballots or by a "yes" or "no" vote on the voting machines, during the
139 hours between twelve o'clock noon and eight o'clock p.m.; except that
140 such town may, by vote of its town council, provide for an earlier hour
141 for opening the polls but not earlier than six o'clock a.m.,
142 notwithstanding the provisions of any special act. If voters
143 representing at least two-thirds of the assessments of holders of record
144 within the proposed district cast votes in such referendum in favor of
145 establishing the proposed district, the town manager shall reconvene
146 such meeting not later than seven days after the day on which the
147 referendum is held. Upon approval of the petition for the proposed
148 district by voters representing at least two-thirds of the assessments of
149 holders of record within the proposed district present at such meeting,

150 or if a referendum is held, upon the reconvening of such meeting after
151 the referendum, the voters, upon the vote of voters representing a
152 majority of assessments of holders of record within the proposed
153 district, choose necessary officers therefor to hold office until the first
154 annual meeting thereof; and the district shall, upon the filing of the
155 first report filed in the manner provided in subsection (c) of section 7-
156 325 of the general statutes, thereupon be a body corporate and politic
157 and have the powers provided in sections 7-324 to 7-329, inclusive, of
158 the general statutes, not inconsistent with the general statutes or this
159 section, in relation to the objects for which it was established, that are
160 necessary for the accomplishment of such objects, including the power
161 to lay and collect taxes. The clerk of such district shall cause its name
162 and a description of its territorial limits and of any additions that may
163 be made thereto to be recorded in, and a caveat be placed upon, the
164 land records of the town of Windsor.

165 (2) At the meeting called for the purpose of establishing the district
166 as provided in subdivision (1) of this subsection, the voters may
167 establish the district for any or all of the following purposes: To
168 extinguish fires, to light streets, to plant and care for shade and
169 ornamental trees, to plan, lay out, acquire, construct, maintain and
170 finance roads, sidewalks, crosswalks, drains, sewers and sewage
171 treatment facilities, utility improvements and connections, parking
172 facilities, open space, bulkhead repairs, dredging and construction,
173 environmental remediation and other infrastructure improvements
174 and to acquire, construct, maintain and regulate the use of recreational
175 facilities, to plan, lay out, acquire, construct, reconstruct, repair,
176 maintain, supervise and manage a flood or erosion control system, to
177 plan, lay out, acquire, construct, maintain, operate, finance and
178 regulate the use of a community water system, all as hereinafter
179 referred to as the "improvements". The district may contract with a
180 town, city, borough or other district for carrying out any of the
181 purposes or the purchase or sale of any of the improvements for which
182 such district was established.

183 (3) At the meeting called for the purpose of establishing the district

184 as provided in subdivision (1) of this subsection, the voters shall fix the
185 date of the annual meeting of the voters for the election of district
186 officers and the transaction of such other business as may properly
187 come before such annual meeting. At such organization meeting of the
188 district, the voters shall elect five directors, provided, upon its
189 organization and at all times thereafter, one director may be appointed
190 by the town council of the town of Windsor. From such directors, the
191 voters shall elect at the organizational meeting a president, vice-
192 president, a clerk and a treasurer to serve until the first annual meeting
193 for the election of officers and thereafter such officers shall be elected
194 annually. Not fewer than three members of the board of directors shall
195 be residents of the state of Connecticut. Subject to the provisions of
196 subdivision (4) of this subsection, not fewer than fifteen voters of the
197 district shall constitute a quorum for the transaction of business at such
198 organizational meeting of the district; and if fifteen voters are not
199 present at such meeting, the town manager may adjourn such meeting
200 from time to time, until at least fifteen voters are present. Special
201 meetings of the district may be called on the application of ten per cent
202 of the total number of voters of such district or twenty of the voters of
203 such district, whichever is less, or by the president or any three
204 directors upon giving notice as provided in this subdivision. Any
205 special meeting called on the application of the voters shall be held not
206 later than twenty-one days after receiving such application. Notice of
207 the holding of the annual meeting and all special meetings shall be
208 given by publication of a notice of such meetings in a newspaper
209 having a general circulation in such district at least ten days before the
210 day of such meetings, signed by the president or any three directors,
211 which notice shall designate the time and place of such meetings and
212 the business to be transacted thereat. Two hundred or more persons or
213 ten per cent of the total number of voters of such district, whichever is
214 less, may petition the clerk of such district, in writing, at least twenty-
215 four hours prior to any such meeting, requesting that any item or items
216 on the call of such meeting be submitted to the voters not less than
217 seven or more than fourteen days thereafter, on a day to be set by the
218 district meeting or, if the district meeting does not set a date, by the

219 board of directors, or a vote by paper ballots or by a "yes" or "no" vote
220 on the voting machines, during the hours between twelve o'clock noon
221 and eight o'clock p.m., except that any district may, by vote of its
222 board of directors, provide for an earlier hour for opening the polls but
223 not earlier than six o'clock a.m. The paper ballots or voting machine
224 ballot labels, as the case may be, shall be provided by the clerk. When
225 such a petition has been filed with the clerk, the president, after
226 completion of other business and after reasonable discussion shall
227 adjourn such meeting and order such vote on such item or items in
228 accordance with the petition; and any item so voted may be rescinded
229 in the same manner. The clerk shall phrase such item or items in a
230 form suitable for printing on such paper ballots or ballot labels. Subject
231 to the provisions of subdivision (4) of this subsection, not fewer than
232 fifteen voters of the district shall constitute a quorum for the
233 transaction of business at any meeting of the district; and if fifteen
234 voters are not present at such meeting, the president of the district or,
235 in such president's absence, the vice-president, may adjourn such
236 meeting from time to time, until at least fifteen voters are present; and
237 all meetings of the district where a quorum is present may be
238 adjourned from time to time by a vote of a majority of the voters
239 voting on the question. At any annual or special meeting, the voters
240 may, by a majority vote of those present, discontinue any purposes for
241 which the district is established or undertake any additional purpose
242 or purposes enumerated in subdivision (2) of this subsection.

243 (4) (A) A quorum for the transaction of business at the meeting
244 called for the purpose of establishing the district, as provided in
245 subdivisions (1) and (3) of this subsection, shall be either fifteen voters
246 of such district or a majority of the holders of record of interests in real
247 property within such district, as long as the assessments of such
248 holders of record constitute more than one-half of the total of
249 assessments for all interests in real property within such district. If
250 fifteen voters or a majority of the holders of record of interests in real
251 property within such district are not present at such meeting or the
252 assessments of such holders of record constitute less than one-half of

253 the total of assessments for all interests in real property within such
254 district, the town manager may adjourn such meeting, from time to
255 time, until at least fifteen voters or a majority of the holders of record
256 of interests in real property within such district are present and the
257 assessments of such holders of record constitute more than one-half of
258 the total of assessments for all interests in real property within such
259 district.

260 (B) For the transaction of business at any other meeting of the
261 district, a quorum shall be either fifteen voters of the district or a
262 majority of the holders of record of interests in real property within
263 such district, as long as the assessments for such holders of record
264 constitute more than one-half of the total of assessments for all
265 interests in real property within such district. If fifteen voters or a
266 majority of the holders of record of interests in real property within
267 such district are not present at such meeting or the assessments of such
268 holders of record constitute less than one-half of the total assessments
269 for all interests in real property within such district, the president of
270 the district, or in such president's absence, the vice-president, may
271 adjourn such meeting, from time to time, until at least fifteen voters or
272 a majority of the holders of record of interests in real property within
273 such district are present and the assessments of such holders of record
274 constitute more than one-half of the total of assessments for all
275 interests in real property within such district.

276 (5) In any case in which an action for a vote by the voters of the
277 district is to be initiated by the petition of such voters, in addition to
278 such other requirements as the general statutes or any special act may
279 impose, such petition shall be on a form prescribed or approved by the
280 clerk of such district, and each page of such petition shall contain a
281 statement, signed under penalties of false statement, by the person
282 who circulated the same, setting forth such circulator's name and
283 address, and stating that each person whose name appears on said
284 page signed the same in person in the presence of such circulator, that
285 the circulator either knows each such signer or that the signer
286 satisfactorily identified himself to the circulator and that all the

287 signatures on said page were obtained not earlier than six months
288 prior to the filing of said petition. Any page of a petition which does
289 not contain such a statement by the circulator shall be invalid. Any
290 circulator who makes a false statement in the statement hereinbefore
291 provided shall be subject to the penalty provided for false statement.
292 No petition shall be valid for any action for a vote by the voters at any
293 regular or special district meeting unless such petition shall be
294 circulated by a voter eligible to vote in such district.

295 (c) Whenever the officers of such district vote to terminate its
296 corporate existence and whenever a petition signed by ten per cent of
297 the total voters of such district or twenty of the voters of such district,
298 whichever is less, applying for a special meeting to vote on the
299 termination of the district is received by the clerk, the clerk shall call a
300 special meeting of the voters of such district, the notice of which shall
301 be signed by the officers thereof, by advertising the same in the same
302 manner as provided in section 7-325 of the general statutes. Not later
303 than twenty-four hours before any such meeting, two hundred or more
304 voters or ten per cent of the total number of voters, whichever is less,
305 may petition the clerk of the district, in writing, that a referendum on
306 the question of whether the district should be terminated be held in the
307 manner provided in section 7-327 of the general statutes. If, at such
308 meeting, a two-thirds majority of the voters present vote to terminate
309 the corporate existence of the district, or, if a referendum is held, two-
310 thirds of the voters casting votes in such referendum vote to terminate
311 the corporate existence of the district, the officers shall proceed to
312 terminate the affairs of such district. The district shall pay all
313 outstanding indebtedness and turn over the balance of the assets of
314 such district to the town of Windsor, if the legislative body of the town
315 authorizes such action. No district shall be terminated under this
316 subsection until all of its outstanding indebtedness is paid unless the
317 legislative body of the town of Windsor agrees in writing to assume
318 such indebtedness. On completion of the duties of the officers of such
319 district, the clerk shall cause a certificate of the vote of such meeting to
320 be recorded in the land records of the town of Windsor and the clerk

321 shall notify the Secretary of the Office of Policy and Management.

322 (d) (1) For purposes of voting at meetings held by such district, any
323 tenant in common of any interest in real property shall have a vote
324 equal to the fraction of such tenant in common's ownership of such
325 interest. Any joint tenant of any interest in real property shall vote as if
326 each such tenant owned an equal fractional share of such real
327 property. A corporation shall have its vote cast by the chief executive
328 officer of such corporation, or such officer's designee. Any entity that is
329 not a corporation shall have its vote cast by a person authorized by
330 such entity to cast its vote. No owner shall have more than one vote.

331 (2) No holder of record of an interest in real property shall be
332 precluded from participating in any district meeting or referendum
333 because of the form of entity that holds such interest, whether such
334 holder of record is (A) a corporation, partnership, unincorporated
335 association, trustee, fiduciary, guardian, conservator or other form of
336 entity, or any combination thereof, or (B) an individual who holds
337 interests jointly or in common with another individual or individuals,
338 or with any one or more of the entities listed in subparagraph (A) of
339 this subdivision.

340 (e) Notwithstanding any provision of the general statutes, including
341 sections 7-324 to 7-329, inclusive, of the general statutes, the district
342 shall have the power to assess, levy and collect benefit assessments
343 upon the land and buildings in the district which, in its judgment, are
344 benefited by the improvements.

345 (f) (1) Notwithstanding any provision of the general statutes,
346 including sections 7-324 to 7-329, inclusive, of the general statutes, the
347 district shall have the power to fix, revise, charge, collect, abate and
348 forgive reasonable taxes, fees, rents and benefit assessments, and other
349 charges for the cost of the improvements, financing costs, operating
350 expenses and other services and commodities furnished or supplied to
351 the real property in the district in accordance with the applicable
352 provisions of the general statutes which apply to districts established

under section 7-325 of the general statutes, and this section and in the manner prescribed by the district. Notwithstanding any provision of the general statutes, the district may make grants for, or pay the entire cost of any improvements, including the costs of financing such improvements, capitalized interest and the funding of any reserve funds necessary to secure such financing or the debt service of bonds or notes issued to finance such costs, from taxes, fees, rents, benefit assessments or other revenues and may assess, levy and collect said taxes, fees, rents or benefit assessments concurrently with the issuance of bonds, notes or other obligations to finance such improvements based on the estimated cost of the improvements prior to the acquisition or construction of the improvements or upon the completion or acquisition of the improvements.

(2) Notwithstanding any provision of the general statutes, whenever the district constructs, improves, extends, equips, rehabilitates, repairs, acquires or provides a grant for any improvements or finances the cost of such improvements, such proportion of the cost or estimated cost of the improvements and financing thereof as determined by the district, may be assessed by the district, herein referred to as "benefit assessments", in the manner prescribed by such district, upon the property benefited by such improvements and the balance of such costs shall be paid from the general funds of the district. The district may provide for the payment of such benefit assessments in annual installments, not exceeding thirty, and may forgive such benefit assessments in any single year without causing the remainder of installments of benefit assessments to be forgiven. Benefit assessments to buildings or structures constructed or expanded after the initial benefit assessment may be assessed as if the new or expanded buildings or structures had existed at the time of the original benefit assessment.

(3) In order to provide for the collection and enforcement of its taxes, fees, rents, benefit assessments and other charges, the district is hereby granted all the powers and privileges with respect thereto as districts organized pursuant to section 7-325 of the general statutes,

387 and as held by the town of Windsor or as otherwise provided in this
388 section. Such taxes, fees, rents or benefit assessments, if not paid when
389 due, shall constitute a lien upon the premises served and a charge
390 against the owners thereof, which lien and charge shall bear interest at
391 the same rate as delinquent property taxes. Each such lien may be
392 continued, recorded and released in the manner provided for property
393 tax liens and shall take precedence over all other liens or
394 encumbrances except a lien for taxes of the town of Windsor. Each
395 such lien may be continued, recorded and released in the manner
396 provided for property tax liens.

397 (4) The budget, taxes, fees, rents, benefit assessments and any other
398 charges of the district of general application shall be adopted and
399 revised by the board at least annually no more than thirty days before
400 the beginning of the fiscal year, in accordance with the procedures to
401 be established by the board, at a meeting called by the board, assuring
402 that interested persons are afforded notice and an opportunity to be
403 heard. The board shall hold at least two public hearings on its schedule
404 of fees, rates, rents, benefit assessments and other charges or any
405 revision thereof before adoption, notice of which shall be delivered to
406 the town manager of the town of Windsor and be published in at least
407 two newspapers of general circulation in the town of Windsor at least
408 ten days in advance of the hearing. No later than the date of the
409 publication, the board shall make available to the public and deliver to
410 the town manager of the town of Windsor the proposed schedule of
411 fees, rates, rents, benefit assessments and other charges. The
412 procedures regarding public hearing and appeal, provided by section
413 7-250 of the general statutes, shall apply for all benefit assessments
414 made by the district, except that the board shall be substituted for the
415 water pollution control authority. Should the benefit assessments be
416 assessed and levied prior to the acquisition or construction of the
417 improvements, then the amount of the benefit assessments shall be
418 adjusted to reflect the actual cost of the improvements, including all
419 financing costs, once the improvements have been completed, should
420 the actual cost be greater than or less than the estimated costs. Benefit

421 assessments shall be due and payable at such times as are fixed by the
422 board, provided the district shall give notice of such due date not less
423 than thirty days prior to such due date by publication in a newspaper
424 of general circulation in the town of Windsor and by mailing such
425 notice to the owners of the property assessed at their last-known
426 address.

427 (g) (1) Notwithstanding any provision of the general statutes,
428 including sections 7-324 to 7-329, inclusive, of the general statutes,
429 whenever the district has authorized the acquisition or construction of
430 the improvements or has made an appropriation therefor, the district
431 may authorize the issuance of up to ten million dollars of bonds, notes
432 or other obligations to finance the cost of the improvements, the
433 creation and maintenance of reserves required to sell the bonds and
434 the cost of issuance of the bonds, provided no bonds shall be issued
435 prior to the district entering into an interlocal agreement with the town
436 of Windsor, in accordance with the procedures provided by section 7-
437 339c of the general statutes, including at least one public hearing on
438 the proposed agreement and ratification by the town council. The
439 bonds may be secured as to both principal or interest by (A) the full
440 faith and credit of the district, (B) fees, revenues or benefit assessments,
441 or (C) a combination of subparagraphs (A) and (B) of this subdivision.
442 Such bonds shall be authorized by resolution of the board. The district
443 is authorized to secure such bonds by the full faith and credit of the
444 district or by a pledge of or lien on all or part of its revenues, fees or
445 benefit assessments. The bonds of each issue shall be dated, shall bear
446 interest at the rates and shall mature at the time or times not exceeding
447 thirty years from their date or dates, as determined by the board, and
448 may be redeemable before maturity, at the option of the board, at the
449 price or prices and under the terms and conditions fixed by the board
450 before the issuance of the bonds. The board shall determine the form of
451 the bonds, and the manner of execution of the bonds, and shall fix the
452 denomination of the bonds and the place or places of payment of
453 principal and interest, which may be at any bank or trust company
454 within the state of Connecticut and other locations as designated by

455 the board. In case any officer whose signature or a facsimile of whose
456 signature shall appear on any bonds or coupons shall cease to be an
457 officer before the delivery of the bonds, the signature or facsimile shall
458 nevertheless be valid and sufficient for all purposes the same as if the
459 officer had remained in office until the delivery.

460 (2) While any bonds issued by the district remain outstanding, the
461 powers, duties or existence of the district shall not be diminished or
462 impaired in any way that will affect adversely the interests and rights
463 of the holders of the bonds. Bonds issued under this section, unless
464 otherwise authorized by law, shall not be considered to constitute a
465 debt of the state of Connecticut or the town of Windsor, or a pledge of
466 the full faith and credit of the state of Connecticut or the town of
467 Windsor, but the bonds shall be payable solely by the district or as
468 special obligations payable from particular district revenues. Any
469 bonds issued by the district shall contain on their face a statement to
470 the effect that neither the state of Connecticut nor the town of Windsor
471 shall be obliged to pay the principal of or the interest thereon, and that
472 neither the full faith and credit or taxing power of the state of
473 Connecticut or the town of Windsor is pledged to the payment of the
474 bonds. All bonds issued under this section shall have and are hereby
475 declared to have all the qualities and incidents of negotiable
476 instruments, as provided in title 42a of the general statutes.

477 (h) (1) The board may authorize that the bonds be secured by a trust
478 agreement by and between the district and a corporate trustee, which
479 may be any trust company or bank having the powers of a trust
480 company within the state of Connecticut. The trust agreement may
481 pledge or assign the revenues. Either the resolution providing for the
482 issuance of bonds or the trust agreement may contain covenants or
483 provisions for protecting and enforcing the rights and remedies of the
484 bondholders as may be necessary, reasonable or appropriate and not in
485 violation of law.

486 (2) All expenses incurred in carrying out the trust agreement may be
487 treated as a part of the cost of the operation of the district. The pledge

488 by any trust agreement or resolution shall be valid and binding from
489 time to time when the pledge is made; the revenues or other moneys
490 so pledged and then held or thereafter received by the board shall
491 immediately be subject to the lien of the pledge without any physical
492 delivery thereof or further act; and the lien of the pledge shall be valid
493 and binding as against all parties having claims of any kind in tort,
494 contract or otherwise against the board, irrespective of whether the
495 parties have notice thereof. Notwithstanding any provision of the
496 Uniform Commercial Code, neither this subsection, the resolution or
497 any trust agreement by which a pledge is created need be filed or
498 recorded except in the records of the board, and no filing need be
499 made under title 42a of the general statutes.

500 (i) Bonds issued under this section are hereby made securities in
501 which all public officers and public bodies of the state of Connecticut
502 and its political subdivisions, all insurance companies, trust
503 companies, banking associations, investment companies, executors,
504 administrators, trustees and other fiduciaries may properly and legally
505 invest funds, including capital in their control and belonging to them;
506 and such bonds shall be securities which may properly and legally be
507 deposited with and received by any state or municipal officer or any
508 agency or political subdivision of the state of Connecticut for any
509 purpose for which the deposit of bonds of the state of Connecticut is
510 now or may hereafter be authorized by law.

511 (j) Bonds may be issued under this section without obtaining the
512 consent of the state of Connecticut or the town of Windsor, and
513 without any proceedings or the happening of any other conditions or
514 things other than those proceedings, conditions or things that are
515 specifically required thereof by this section, and the validity of and
516 security for any bonds issued by the district shall not be affected by the
517 existence or nonexistence of the consent or other proceedings,
518 conditions or things.

519 (k) The district and all its receipts, revenues, income and real and
520 personal property shall be exempt from taxation and benefit

521 assessments and the district shall not be required to pay any tax, excise
522 or assessment to or from the state of Connecticut or any of its political
523 subdivisions. The principal and interest on bonds or notes issued by
524 the district shall be free from taxation at all times, except for estate and
525 gift, franchise and excise taxes, imposed by the state of Connecticut or
526 any political subdivision thereof, provided nothing in this section shall
527 act to limit or restrict the ability of the state of Connecticut or the town
528 of Windsor to tax the individuals and companies, or their real or
529 personal property or any person living or business operating within
530 the boundaries of the district.

531 (l) The board shall at all times keep accounts of its receipts,
532 expenditures, disbursements, assets and liabilities, which shall be open
533 to inspection by a duly appointed officer or duly appointed agent of
534 the state of Connecticut or the town of Windsor. The fiscal year of the
535 district shall begin on July first and end on the following June thirtieth
536 or as otherwise established by section 7-327 of the general statutes. The
537 district shall be subject to an audit of its accounts in the manner
538 provided in the general statutes.

539 (m) (1) At such time as any construction or development activity
540 financed by bonds issued by the district is taking place, the clerk of the
541 district shall submit project activity reports quarterly to the Secretary
542 of the Office of Policy and Management and to the chairpersons of the
543 joint standing committee of the General Assembly having cognizance
544 of matters relating to finance, revenue and bonding.

545 (2) The district shall take affirmative steps to provide for the full
546 disclosure of information relating to the public financing and
547 maintenance of improvements to real property undertaken by the
548 district. Such information shall be provided to any existing residents
549 and to all prospective residents of the district. The district shall furnish
550 each developer of a residential development within the district with
551 sufficient copies of such information to provide each prospective initial
552 purchaser of property in such district with a copy, and any developer
553 of a residential development within the district, when required by law

554 to provide a public offering statement, shall include a copy of such
555 information relating to the public financing and maintenance of
556 improvements in the public offering statement.

557 (n) (1) This section shall be deemed to provide an additional,
558 alternative and complete method of accomplishing the purposes of this
559 section and exercising the powers authorized hereby and shall be
560 deemed and construed to be supplemental and additional to, and not
561 in derogation of, powers conferred upon the district by law and
562 particularly by sections 7-324 to 7-329, inclusive, of the general
563 statutes; provided insofar as the proceedings of this section are
564 inconsistent with any general statute or special act, or any resolution or
565 ordinance of the town of Windsor, this section shall be controlling.

566 (2) Except as specifically provided in this section, all other statutes,
567 ordinances, resolutions, rules and regulations of the state of
568 Connecticut and the town of Windsor shall be applicable to the
569 property, residents and businesses located in the district. Nothing in
570 this section shall in any way obligate the town of Windsor to pay any
571 costs for the acquisition, construction, equipping or operation and
572 administration of the improvements located within the district or to
573 pledge any money or taxes to pay debt service on bonds issued by the
574 district except as may be agreed to in any interlocal agreements
575 executed by the town of Windsor and the district.

576 (o) At the option of the town of Windsor by vote of the town council
577 of the town of Windsor, the district shall be merged into the town of
578 Windsor if no bonds are issued by the district not later than four years
579 after the effective date of this section or after the bonds authorized by
580 this section are no longer outstanding and any property which is
581 owned by the district shall be distributed to the town of Windsor.

582 (p) This section being necessary for the welfare of the town of
583 Windsor and its inhabitants shall be liberally construed to affect the
584 purposes hereof."